

**EIGHTY-FIFTH GENERAL ASSEMBLY  
2013 REGULAR SESSION  
DAILY  
HOUSE CLIP SHEET**

APRIL 17, 2013

**Senate Amendment to  
HOUSE FILE 495**

**H-1303**

1 Amend House File 495, as amended, passed, and  
2 reprinted by the House, as follows:  
3 1. By striking page 2, line 20, through page 3,  
4 line 23, and inserting:  
5 <Sec. \_\_\_\_\_. Section 562A.29A, subsection 1,  
6 unnumbered paragraph 1, Code 2013, is amended to read  
7 as follows:  
8 A written notice of termination required under  
9 section 562A.27, subsection 1, 2, or 5, a notice of  
10 termination and notice to quit required under section  
11 562A.27A, a landlord's written notice of termination to  
12 the tenant required under section 562A.34, subsection  
13 1, 2, or 3, or a notice to quit required by section  
14 648.3, shall be served upon the tenant by one or more  
15 of the following methods:>  
16 2. Page 4, after line 30 by inserting:  
17 <Sec. \_\_\_\_\_. Section 562B.27A, subsection 1,  
18 unnumbered paragraph 1, Code 2013, is amended to read  
19 as follows:  
20 A landlord's written notice of termination to the  
21 tenant required under section 562B.10, subsection 4, a  
22 notice of termination required under section 562B.25,  
23 a notice of termination and notice to quit required  
24 under section 562B.25A, or a notice to quit required  
25 by section 648.3, shall be served upon the tenant  
26 according to one or more of the following methods:>  
27 3. By renumbering as necessary.

RECEIVED FROM THE SENATE

**H-1303** FILED APRIL 16, 2013

**Senate Amendment to  
HOUSE FILE 566**

**H-1304**

1 Amend House File 566, as amended, passed, and  
2 reprinted by the House, as follows:  
3 1. Page 4, line 33, by striking <five> and  
4 inserting <two>

RECEIVED FROM THE SENATE

**H-1304** FILED APRIL 16, 2013

HOUSE FILE 609

H-1307

1 Amend House File 609 as follows:

2 1. By striking everything after the enacting clause  
3 and inserting:

4 <Section 1. Section 331.512, Code 2013, is amended  
5 by adding the following new subsection:

6 NEW SUBSECTION. 4A. Carry out duties relating to  
7 the business property tax credit as provided in chapter  
8 426C.

9 Sec. 2. Section 331.559, Code 2013, is amended by  
10 adding the following new subsection:

11 NEW SUBSECTION. 14A. Carry out duties relating to  
12 the business property tax credit as provided in chapter  
13 426C.

14 Sec. 3. NEW SECTION. 426C.1 Definitions.

15 For the purposes of this chapter, unless the context  
16 otherwise requires:

17 1. "Contiguous parcels" means any of the following:

18 a. Parcels that share a common boundary.

19 b. Parcels within the same building or structure  
20 regardless of whether the parcels share a common  
21 boundary.

22 c. Permanent improvements to the land that are  
23 situated on one or more parcels of land that are  
24 assessed and taxed separately from the permanent  
25 improvements if the parcels of land upon which the  
26 permanent improvements are situated share a common  
27 boundary.

28 2. "Department" means the department of revenue.

29 3. "Fund" means the business property tax credit  
30 fund created in section 426C.2.

31 4. "Parcel" means as defined in section 445.1.

32 5. "Property unit" means contiguous parcels all  
33 of which are located within the same county, with the  
34 same property tax classification, are owned by the same  
35 person, and are operated by that person for a common  
36 use and purpose.

37 Sec. 4. NEW SECTION. 426C.2 Business property tax  
38 credit fund ---- appropriation.

39 1. A business property tax credit fund is created  
40 in the state treasury under the authority of the  
41 department. For the fiscal year beginning July 1,  
42 2014, there is appropriated from the general fund of  
43 the state to the department to be credited to the  
44 fund, the sum of fifty million dollars to be used  
45 for business property tax credits authorized in this  
46 chapter. For the fiscal year beginning July 1, 2015,  
47 and each fiscal year thereafter, there is appropriated  
48 from the general fund of the state to the department  
49 to be credited to the fund an amount equal to the

50 total amount appropriated by the general assembly to  
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1 the fund, as calculated in this subsection, in the  
2 previous fiscal year. In addition, the sum of fifty  
3 million dollars shall be added to the appropriation in  
4 each fiscal year beginning on or after July 1, 2015,  
5 if the revenue estimating conference certifies during  
6 its final meeting of the calendar year ending prior to  
7 the beginning of the fiscal year that the total amount  
8 of general fund revenues collected during the fiscal  
9 year ending during such calendar year was at least one  
10 hundred four percent of the total amount of general  
11 fund revenues collected during the previous fiscal  
12 year. However, the total appropriation to the fund  
13 shall not exceed two hundred fifty million dollars for  
14 any one fiscal year.

15 2. Notwithstanding section 12C.7, subsection 2,  
16 interest or earnings on moneys deposited in the fund  
17 shall be credited to the fund. Moneys in the fund are  
18 not subject to the provisions of section 8.33 and shall  
19 not be transferred, used, obligated, appropriated,  
20 or otherwise encumbered except as provided in this  
21 chapter.

22 Sec. 5. NEW SECTION. 426C.3 Claims for credit.

23 1. Each person who wishes to claim the credit  
24 allowed under this chapter shall obtain the appropriate  
25 forms from the assessor and file the claim with the  
26 assessor. The director of revenue shall prescribe  
27 suitable forms and instructions for such claims, and  
28 make such forms and instructions available to the  
29 assessors.

30 2. a. Claims for the business property tax credit  
31 shall be filed not later than March 15 preceding the  
32 fiscal year during which the taxes for which the credit  
33 is claimed are due and payable.

34 b. A claim for credit filed after the deadline for  
35 filing claims shall be considered as a claim for the  
36 following year.

37 3. Upon the filing of a claim and allowance of the  
38 credit, the credit shall be allowed on the parcel or  
39 property unit for successive years without further  
40 filing as long as the parcel or property unit satisfies  
41 the requirements for the credit. If the parcel or  
42 property unit ceases to qualify for the credit under  
43 this chapter, the owner shall provide written notice to  
44 the assessor by the date for filing claims specified in  
45 subsection 2 following the date on which the parcel or  
46 property unit ceases to qualify for the credit.

47 4. The assessor shall remit the claims for  
48 credit to the county auditor with the assessor's  
49 recommendation for allowance or disallowance. If  
50 the assessor recommends disallowance of a claim,



1 the assessor shall submit the reasons for the  
2 recommendation, in writing, to the county auditor.  
3 The county auditor shall forward the claims and  
4 recommendations to the board of supervisors. The board  
5 shall allow or disallow the claims.

6 5. For each claim and allowance of a credit for  
7 a property unit, the county auditor shall calculate  
8 the average of all consolidated levy rates applicable  
9 to the several parcels within the property unit. All  
10 claims for credit which have been allowed by the board  
11 of supervisors, the actual value of such parcels and  
12 property units applicable to the fiscal year for which  
13 the credit is claimed that are subject to assessment  
14 and taxation prior to imposition of any applicable  
15 assessment limitation, the consolidated levy rates  
16 for such parcels and the average consolidated levy  
17 rates for such property units applicable to the fiscal  
18 year for which the credit is claimed, and the taxing  
19 districts in which the parcel or property unit is  
20 located, shall be certified on or before June 30, in  
21 each year, by the county auditor to the department.

22 6. The assessor shall maintain a permanent file of  
23 current business property tax credits. The assessor  
24 shall file a notice of transfer of property for which a  
25 credit has been allowed when notice is received from  
26 the office of the county recorder, from the person  
27 who sold or transferred the property, or from the  
28 personal representative of a deceased property owner.  
29 The county recorder shall give notice to the assessor  
30 of each transfer of title filed in the recorder's  
31 office. The notice from the county recorder shall  
32 describe the property transferred, the name of the  
33 person transferring title to the property, and the name  
34 of the person to whom title to the property has been  
35 transferred.

36 7. When all or a portion of a parcel or property  
37 unit that is allowed a credit under this chapter is  
38 sold, transferred, or ownership otherwise changes, the  
39 buyer, transferee, or new owner who wishes to receive  
40 the credit shall refile the claim for credit. In  
41 addition, when a portion of a parcel or property unit  
42 that is allowed a credit under this chapter is sold,  
43 transferred, or ownership otherwise changes, the owner  
44 of the portion of the parcel or property unit for which  
45 ownership did not change shall refile the claim for  
46 credit.

47 Sec. 6. NEW SECTION. 426C.4 Eligibility and amount  
48 of credit.

49 1. Each parcel classified and taxed as commercial  
50 property, industrial property, or railway property



1 under chapter 434 is eligible for a credit under this  
2 chapter. A person may claim and receive one credit  
3 under this chapter for each eligible parcel unless the  
4 parcel is part of a property unit for which a credit  
5 is claimed. A person may claim and receive one credit  
6 under this chapter for each property unit. A credit  
7 approved for a property unit shall be allocated to  
8 the several parcels within the property unit in the  
9 proportion that each parcel's total amount of property  
10 taxes due and payable bears to the total amount of  
11 property taxes due and payable on the property unit.  
12 Only property units comprised of property assessed as  
13 commercial property, industrial property, or railway  
14 property under chapter 434 are eligible for a credit  
15 under this chapter. However, property that is rented  
16 or leased to low-income individuals and families  
17 as authorized by section 42 of the Internal Revenue  
18 Code, as amended, and that is subject to assessment  
19 procedures relating to section 42 property under  
20 section 441.21, subsection 2, for the applicable  
21 assessment year, shall not be eligible to receive a  
22 credit under this chapter or be part of a property unit  
23 that receives a credit under this chapter.

24 2. Using the actual value of each parcel or  
25 property unit and the consolidated levy rate for each  
26 parcel or the average consolidated levy rate for each  
27 property unit, as certified by the county auditor  
28 to the department under section 426C.3, subsection  
29 5, the department shall calculate, for each fiscal  
30 year, an initial amount of actual value for use in  
31 determining the amount of the credit for each such  
32 parcel or property unit so as to provide the maximum  
33 possible credit according to the credit formula and  
34 limitations under subsection 3, and to provide a  
35 total dollar amount of credits against the taxes due  
36 and payable in the fiscal year equal to ninety-eight  
37 percent of the moneys in the fund following the deposit  
38 of the appropriation for the fiscal year and including  
39 interest or earnings credited to the fund.

40 3. a. The amount of the credit for each parcel or  
41 property unit for which a claim for credit under this  
42 chapter has been approved shall be calculated under  
43 paragraph "b" using the lesser of the initial amount  
44 of actual value determined by the department under  
45 subsection 2, and the amount of actual value of the  
46 parcel or property unit certified by the county auditor  
47 under section 426C.3, subsection 5.

48 b. The amount of the credit for each parcel or  
49 property unit for which a claim for credit under  
50 this chapter has been approved shall be equal to





1 the product of the amount of actual value determined  
2 under paragraph "a" times the difference, stated  
3 as a percentage, between the assessment limitation  
4 percentage applicable to the parcel or property unit  
5 under section 441.21, subsection 5, and the assessment  
6 limitation percentage applicable to residential  
7 property under section 441.21, subsection 4, divided  
8 by one thousand dollars, and then multiplied by  
9 the consolidated levy rate or average consolidated  
10 levy rate per one thousand dollars of taxable value  
11 applicable to the parcel or property unit for the  
12 fiscal year for which the credit is claimed as  
13 certified by the county auditor under section 426C.3,  
14 subsection 5.

15 Sec. 7. NEW SECTION. 426C.5 Payment to counties.

16 1. Annually the department shall certify to the  
17 county auditor of each county the amounts of the  
18 business property tax credits allowed in the county.  
19 Each county auditor shall then enter the credits  
20 against the tax levied on each eligible parcel or  
21 property unit in the county, designating on the tax  
22 lists the credit as being paid from the fund. Each  
23 taxing district shall receive its share of the business  
24 property tax credit allowed on each eligible parcel or  
25 property unit in such taxing district in the proportion  
26 that the levy made by such taxing district upon the  
27 parcel or property unit bears to the total levy upon  
28 the parcel or property unit by all taxing districts.  
29 However, the several taxing districts shall not draw  
30 the moneys so credited until after the semiannual  
31 allocations have been received by the county treasurer,  
32 as provided in this section. Each county treasurer  
33 shall show on each taxpayer receipt the amount of  
34 credit received from the fund.

35 2. The director of revenue shall authorize the  
36 department of administrative services to draw warrants  
37 on the fund payable to the county treasurers of the  
38 several counties of the state in the amounts certified  
39 by the department.

40 3. The amount due each county shall be paid in two  
41 payments on November 15 and March 15 of each fiscal  
42 year, drawn upon warrants payable to the respective  
43 county treasurers. The two payments shall be as nearly  
44 equal as possible.

45 Sec. 8. NEW SECTION. 426C.6 Appeals.

46 1. If the board of supervisors disallows a claim  
47 for credit under section 426C.3, subsection 4, the  
48 board of supervisors shall send written notice, by  
49 mail, to the claimant at the claimant's last known  
50 address. The notice shall state the reasons for



1 disallowing the claim for the credit. The board of  
2 supervisors is not required to send notice that a claim  
3 for credit is disallowed if the claimant voluntarily  
4 withdraws the claim. Any person whose claim is  
5 disallowed under the provisions of this chapter may  
6 appeal from the action of the board of supervisors to  
7 the district court of the county in which the parcel or  
8 property unit is located by giving written notice of  
9 such appeal to the county auditor within twenty days  
10 from the date of mailing of notice of such action by  
11 the board of supervisors.

12 2. If a claim for credit is disallowed by the  
13 board of supervisors, and such action is subsequently  
14 reversed on appeal, the credit shall be allowed on the  
15 applicable parcel or property unit, and the director of  
16 revenue, the county auditor, and the county treasurer  
17 shall provide the credit and change their books and  
18 records accordingly. In the event the claimant has  
19 paid one or both of the installments of the tax payable  
20 in the year or years in question, remittance shall be  
21 made to the claimant of the amount of such credit.  
22 The amount of such credit awarded on appeal shall be  
23 allocated and paid from the balance remaining in the  
24 fund.

25 Sec. 9. NEW SECTION. 426C.7 Audit ---- recalculation  
26 or denial.

27 1. If on the audit of a credit provided under this  
28 chapter, the director of revenue determines the amount  
29 of the credit to have been incorrectly calculated or  
30 that the credit is not allowable, the director shall  
31 recalculate the credit and notify the claimant and the  
32 county auditor of the recalculation or denial and the  
33 reasons for it. The director shall not adjust a credit  
34 after three years from October 31 of the year in which  
35 the claim for the credit was filed. If the credit has  
36 been paid, the director shall give notification to the  
37 claimant, the county treasurer, and the applicable  
38 assessor of the recalculation or denial of the credit  
39 and the county treasurer shall proceed to collect the  
40 tax owed in the same manner as other property taxes due  
41 and payable are collected, if the parcel or property  
42 unit for which the credit was allowed is still owned  
43 by the claimant. If the parcel or property unit  
44 for which the credit was allowed is not owned by the  
45 claimant, the amount may be recovered from the claimant  
46 by assessment in the same manner that income taxes are  
47 assessed under sections 422.26 and 422.30. The amount  
48 of such erroneous credit, when collected, shall be  
49 deposited in the fund.

50 2. The claimant or board of supervisors may



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1 appeal any decision of the director of revenue to the  
2 state board of tax review pursuant to section 421.1,  
3 subsection 5. The claimant, the board of supervisors,  
4 or the director of revenue may seek judicial review  
5 of the action of the state board of tax review in  
6 accordance with chapter 17A.

7 Sec. 10. NEW SECTION. 426C.8 False claim ----  
8 penalty.

9 A person who makes a false claim for the purpose of  
10 obtaining a credit provided for in this chapter or who  
11 knowingly receives the credit without being legally  
12 entitled to it is guilty of a fraudulent practice. The  
13 claim for a credit of such a person shall be disallowed  
14 and if the credit has been paid the amount shall be  
15 recovered in the manner provided in section 426C.7. In  
16 such cases, the director of revenue shall send a notice  
17 of disallowance of the credit.

18 Sec. 11. NEW SECTION. 426C.9 Rules.

19 The director of revenue shall prescribe forms,  
20 instructions, and rules as necessary, pursuant to  
21 chapter 17A, to carry out and effectuate the purposes  
22 of this chapter.

23 Sec. 12. IMPLEMENTATION. Notwithstanding the  
24 deadline for filing claims established in section  
25 426C.3, for a credit against property taxes due and  
26 payable during the fiscal year beginning July 1, 2014,  
27 the claim for the credit shall be filed not later than  
28 January 15, 2014.

29 Sec. 13. APPLICABILITY. This Act applies to  
30 property taxes due and payable in fiscal years  
31 beginning on or after July 1, 2014.>

32 2. Title page, by striking lines 1 through 6 and  
33 inserting <An Act establishing a property tax credit  
34 for commercial, industrial, and railway property,  
35 providing penalties, making appropriations, and  
36 including implementation and applicability provisions.>

**By** SANDS of Louisa

H-1307 FILED APRIL 16, 2013

HOUSE FILE 634

H-1300

1 Amend House File 634 as follows:

2 1. Page 3, by striking lines 8 through 35.

3 2. By renumbering as necessary.

**By** BALTIMORE of Boone

H-1300 FILED APRIL 16, 2013

HOUSE FILE 634

H-1305

1 Amend the amendment, H-1290, to House File 634 as  
2 follows:

- 3 1. Page 1, after line 1 by inserting:  
4 <\_\_\_\_. Page 3, by striking lines 8 through 35.>  
5 2. By renumbering as necessary.

By WINDSCHITL of Harrison

H-1305 FILED APRIL 16, 2013

SENATE FILE 430

H-1299

1 Amend the amendment, H-1273, to Senate File 430,  
2 as amended, passed, and reprinted by the Senate, as  
3 follows:

- 4 1. Page 6, before line 19 by inserting:

5 <8. FOOD BANKS

6 There is appropriated from the general fund of the  
7 state to the economic development authority for the  
8 fiscal year beginning July 1, 2013, and ending June 30,  
9 2014, the following amount to be used for the purposes  
10 of distribution to a nonprofit, tax-exempt association  
11 that receives donations under section 170 of the  
12 Internal Revenue Code and whose members include Iowa  
13 food banks and their affiliates that together serve all  
14 counties in the state, to be used to purchase food for  
15 distribution to food-insecure Iowans:  
16 ..... \$ 1,000,000>>

- 17 2. Page 18, before line 21 by inserting:

18 <8. FOOD BANKS

19 There is appropriated from the general fund of the  
20 state to the economic development authority for the  
21 fiscal year beginning July 1, 2014, and ending June 30,  
22 2015, the following amount to be used for the purposes  
23 of distribution to a nonprofit, tax-exempt association  
24 that receives donations under section 170 of the  
25 Internal Revenue Code and whose members include Iowa  
26 food banks and their affiliates that together serve all  
27 counties in the state, to be used to purchase food for  
28 distribution to food-insecure Iowans:  
29 ..... \$ 850,000>>

- 30 3. By renumbering, redesignating, and correcting  
31 internal references as necessary.

By STAED of Linn

H-1299 FILED APRIL 16, 2013

SENATE FILE 430

H-1301

1 Amend the amendment, H-1273, to Senate File 430,  
2 as amended, passed, and reprinted by the Senate, as  
3 follows:

4 1. Page 11, by striking lines 36 through 41 and  
5 inserting:

6 <b. Of the moneys appropriated in paragraph "a" of  
7 this subsection, the department shall allocate at least  
8 \$1,130,602 for the operation of satellite field offices  
9 in Decorah, Fort Madison, Iowa City, and Webster City,  
10 and of the moneys appropriated in paragraph "a" of this  
11 subsection, the department shall allocate \$150,000  
12 to the state library for the purpose of licensing an  
13 online resource which prepares persons to succeed in  
14 the workplace through programs which improve job skills  
15 and vocational test-taking abilities.>

16 2. Page 11, before line 42 by inserting:

17 <4. FIELD OFFICE OPENING

18 For the purpose of reopening satellite field  
19 offices in Ames, Atlantic, Denison, Keokuk, Newton, and  
20 Clinton and for not more than the following full-time  
21 equivalent positions:

22 ..... \$ 3,060,000  
23 ..... FTES 30.00>>

24 3. Page 11, line 42, by striking <4.> and inserting  
25 <5.>

26 4. Page 12, line 4, by striking <5.> and inserting  
27 <6.>

28 5. Page 23, by striking lines 38 through 43 and  
29 inserting:

30 <b. Of the moneys appropriated in paragraph "a" of  
31 this subsection, the department shall allocate at least  
32 \$1,130,602 for the operation of satellite field offices  
33 in Decorah, Fort Madison, Iowa City, and Webster City,  
34 and of the moneys appropriated in paragraph "a" of this  
35 subsection, the department shall allocate \$150,000  
36 to the state library for the purpose of licensing an  
37 online resource which prepares persons to succeed in  
38 the workplace through programs which improve job skills  
39 and vocational test-taking abilities.>

40 6. Page 23, before line 44 by inserting:

41 <4. FIELD OFFICE OPENING

42 For the purpose of reopening and maintaining  
43 satellite field offices in Ames, Atlantic, Denison,  
44 Keokuk, Newton, and Clinton and for not more than the  
45 following full-time equivalent positions:

46 ..... \$ 2,601,000  
47 ..... FTES 30.00>>

48 7. Page 23, line 44, by striking <4.> and inserting



49 <5.>

50 8. Page 24, line 6, by striking <5.> and inserting

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1 <6.>

2 9. By renumbering as necessary.

**By** WOLFE of Clinton

WESSEL-KROESCHELL of Story

KELLEY of Jasper

KEARNS of Lee

HEDDENS of Story

MUHLBAUER of Crawford

**H-1301** FILED APRIL 16, 2013

**SENATE FILE 430**

**H-1302**

1 Amend the amendment, H-1273, to Senate File 430,

2 as amended, passed, and reprinted by the Senate, as

3 follows:

4 1. Page 12, after line 22 by inserting:

5 <Sec. \_\_\_\_ GENERAL FUND ---- SKILLS TRAINING

6 PROGRAM. There is appropriated from the general fund

7 of the state to the department of workforce development

8 for the fiscal year beginning July 1, 2013, and

9 ending June 30, 2014, the following amount, or so much

10 thereof as is necessary, to be used for the purposes

11 designated:

12 To develop a long-term sustained program to train

13 unemployed and underemployed central Iowans with skills

14 necessary to advance to higher-paying jobs with full

15 benefits:

16 ..... \$ 100,000>>

17 2. Page 24, after line 24 by inserting:

18 <Sec. \_\_\_\_ GENERAL FUND ---- SKILLS TRAINING

19 PROGRAM. There is appropriated from the general fund

20 of the state to the department of workforce development

21 for the fiscal year beginning July 1, 2014, and

22 ending June 30, 2015, the following amount, or so much

23 thereof as is necessary, to be used for the purposes

24 designated:

25 To develop a long-term sustained program to train

26 unemployed and underemployed central Iowans with skills

27 necessary to advance to higher-paying jobs with full

28 benefits:

29 ..... \$ 85,000>>

30 3. By renumbering, redesignating, and correcting

31 internal references as necessary.

**By** HUNTER of Polk

WESSEL-KROESCHELL of Story

HEDDENS of Story

**H-1302** FILED APRIL 16, 2013

SENATE FILE 295

H-1308

1 Amend Senate File 295, as passed by the Senate, as  
2 follows:

3 1. By striking everything after the enacting clause  
4 and inserting:

<DIVISION I

6 PROPERTY ASSESSMENT LIMITATION AND REPLACEMENT  
7 Section 1. Section 257.3, subsection 1, Code 2013,  
8 is amended by adding the following new paragraph:

9 NEW PARAGRAPH. d. The amount paid to each school  
10 district for the commercial and industrial property  
11 tax replacement claim under section 441.21A shall be  
12 regarded as property tax. The portion of the payment  
13 which is foundation property tax shall be determined by  
14 applying the foundation property tax rate to the amount  
15 computed under section 441.21A, subsection 4, paragraph  
16 "a", and such amount shall be prorated pursuant to  
17 section 441.21A, subsection 2, if applicable.

18 Sec. 2. Section 331.512, Code 2013, is amended by  
19 adding the following new subsection:

20 NEW SUBSECTION. 13A. Carry out duties relating  
21 to the calculation and payment of commercial and  
22 industrial property tax replacement claims under  
23 section 441.21A.

24 Sec. 3. Section 331.559, Code 2013, is amended by  
25 adding the following new subsection:

26 NEW SUBSECTION. 25A. Carry out duties relating  
27 to the calculation and payment of commercial and  
28 industrial property tax replacement claims under  
29 section 441.21A.

30 Sec. 4. Section 441.21, subsection 4, Code 2013, is  
31 amended to read as follows:

32 4. For valuations established as of January  
33 1, 1979, the percentage of actual value at which  
34 agricultural and residential property shall be assessed  
35 shall be the quotient of the dividend and divisor as  
36 defined in this section. The dividend for each class  
37 of property shall be the dividend as determined for  
38 each class of property for valuations established as  
39 of January 1, 1978, adjusted by the product obtained  
40 by multiplying the percentage determined for that year  
41 by the amount of any additions or deletions to actual  
42 value, excluding those resulting from the revaluation  
43 of existing properties, as reported by the assessors  
44 on the abstracts of assessment for 1978, plus six  
45 percent of the amount so determined. However, if the  
46 difference between the dividend so determined for  
47 either class of property and the dividend for that  
48 class of property for valuations established as of

49 January 1, 1978, adjusted by the product obtained by  
50 multiplying the percentage determined for that year

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1 by the amount of any additions or deletions to actual  
2 value, excluding those resulting from the revaluation  
3 of existing properties, as reported by the assessors  
4 on the abstracts of assessment for 1978, is less than  
5 six percent, the 1979 dividend for the other class of  
6 property shall be the dividend as determined for that  
7 class of property for valuations established as of  
8 January 1, 1978, adjusted by the product obtained by  
9 multiplying the percentage determined for that year  
10 by the amount of any additions or deletions to actual  
11 value, excluding those resulting from the revaluation  
12 of existing properties, as reported by the assessors on  
13 the abstracts of assessment for 1978, plus a percentage  
14 of the amount so determined which is equal to the  
15 percentage by which the dividend as determined for the  
16 other class of property for valuations established as  
17 of January 1, 1978, adjusted by the product obtained  
18 by multiplying the percentage determined for that year  
19 by the amount of any additions or deletions to actual  
20 value, excluding those resulting from the revaluation  
21 of existing properties, as reported by the assessors  
22 on the abstracts of assessment for 1978, is increased  
23 in arriving at the 1979 dividend for the other class  
24 of property. The divisor for each class of property  
25 shall be the total actual value of all such property  
26 in the state in the preceding year, as reported by the  
27 assessors on the abstracts of assessment submitted  
28 for 1978, plus the amount of value added to said  
29 total actual value by the revaluation of existing  
30 properties in 1979 as equalized by the director of  
31 revenue pursuant to section 441.49. The director shall  
32 utilize information reported on abstracts of assessment  
33 submitted pursuant to section 441.45 in determining  
34 such percentage. For valuations established as of  
35 January 1, 1980, and each assessment year thereafter  
36 beginning before January 1, 2013, the percentage of  
37 actual value as equalized by the director of revenue  
38 as provided in section 441.49 at which agricultural  
39 and residential property shall be assessed shall be  
40 calculated in accordance with the methods provided  
41 herein including the limitation of increases in  
42 agricultural and residential assessed values to the  
43 percentage increase of the other class of property if  
44 the other class increases less than the allowable limit  
45 adjusted to include the applicable and current values  
46 as equalized by the director of revenue, except that  
47 any references to six percent in this subsection shall  
48 be four percent. For valuations established as of  
49 January 1, 2013, and each assessment year thereafter,  
50 the percentage of actual value as equalized by the



1 director of revenue as provided in section 441.49 at  
2 which agricultural and residential property shall be  
3 assessed shall be calculated in accordance with the  
4 methods provided in this subsection, except that any  
5 references to six percent in this subsection shall  
6 be two percent, and including, for assessment years  
7 beginning on or after January 1, 2013, but before  
8 January 1, 2017, the limitation of increases in  
9 agricultural and residential assessed values to the  
10 percentage increase of the other class of property if  
11 the other class increases less than the allowable limit  
12 adjusted to include the applicable and current values  
13 as equalized by the director of revenue, and including,  
14 for assessment years beginning on or after January 1,  
15 2017, the limitation in subsection 5A.

16 Sec. 5. Section 441.21, subsection 5, Code 2013, is  
17 amended to read as follows:

18 5. a. For valuations established as of January  
19 1, 1979, commercial property and industrial property,  
20 excluding properties referred to in section 427A.1,  
21 subsection 8, shall be assessed as a percentage of  
22 the actual value of each class of property. The  
23 percentage shall be determined for each class of  
24 property by the director of revenue for the state in  
25 accordance with the provisions of this section. For  
26 valuations established as of January 1, 1979, the  
27 percentage shall be the quotient of the dividend and  
28 divisor as defined in this section. The dividend  
29 for each class of property shall be the total actual  
30 valuation for each class of property established for  
31 1978, plus six percent of the amount so determined.  
32 The divisor for each class of property shall be the  
33 valuation for each class of property established for  
34 1978, as reported by the assessors on the abstracts of  
35 assessment for 1978, plus the amount of value added to  
36 the total actual value by the revaluation of existing  
37 properties in 1979 as equalized by the director of  
38 revenue pursuant to section 441.49. For valuations  
39 established as of January 1, 1979, property valued by  
40 the department of revenue pursuant to chapters 428,  
41 433, 437, and 438 shall be considered as one class  
42 of property and shall be assessed as a percentage of  
43 its actual value. The percentage shall be determined  
44 by the director of revenue in accordance with the  
45 provisions of this section. For valuations established  
46 as of January 1, 1979, the percentage shall be the  
47 quotient of the dividend and divisor as defined in  
48 this section. The dividend shall be the total actual  
49 valuation established for 1978 by the department of  
50 revenue, plus ten percent of the amount so determined.





1 The divisor for property valued by the department of  
2 revenue pursuant to chapters 428, 433, 437, and 438  
3 shall be the valuation established for 1978, plus  
4 the amount of value added to the total actual value  
5 by the revaluation of the property by the department  
6 of revenue as of January 1, 1979. For valuations  
7 established as of January 1, 1980, commercial property  
8 and industrial property, excluding properties referred  
9 to in section 427A.1, subsection 8, shall be assessed  
10 at a percentage of the actual value of each class of  
11 property. The percentage shall be determined for  
12 each class of property by the director of revenue for  
13 the state in accordance with the provisions of this  
14 section. For valuations established as of January  
15 1, 1980, the percentage shall be the quotient of  
16 the dividend and divisor as defined in this section.  
17 The dividend for each class of property shall be the  
18 dividend as determined for each class of property for  
19 valuations established as of January 1, 1979, adjusted  
20 by the product obtained by multiplying the percentage  
21 determined for that year by the amount of any  
22 additions or deletions to actual value, excluding those  
23 resulting from the revaluation of existing properties,  
24 as reported by the assessors on the abstracts of  
25 assessment for 1979, plus four percent of the amount  
26 so determined. The divisor for each class of property  
27 shall be the total actual value of all such property in  
28 1979, as equalized by the director of revenue pursuant  
29 to section 441.49, plus the amount of value added to  
30 the total actual value by the revaluation of existing  
31 properties in 1980. The director shall utilize  
32 information reported on the abstracts of assessment  
33 submitted pursuant to section 441.45 in determining  
34 such percentage. For valuations established as of  
35 January 1, 1980, property valued by the department  
36 of revenue pursuant to chapters 428, 433, 437, and  
37 438 shall be assessed at a percentage of its actual  
38 value. The percentage shall be determined by the  
39 director of revenue in accordance with the provisions  
40 of this section. For valuations established as of  
41 January 1, 1980, the percentage shall be the quotient  
42 of the dividend and divisor as defined in this section.  
43 The dividend shall be the total actual valuation  
44 established for 1979 by the department of revenue,  
45 plus eight percent of the amount so determined. The  
46 divisor for property valued by the department of  
47 revenue pursuant to chapters 428, 433, 437, and 438  
48 shall be the valuation established for 1979, plus  
49 the amount of value added to the total actual value  
50 by the revaluation of the property by the department



1 of revenue as of January 1, 1980. For valuations  
2 established as of January 1, 1981, and each assessment  
3 year thereafter beginning before January 1, 2013, the  
4 percentage of actual value as equalized by the director  
5 of revenue as provided in section 441.49 at which  
6 commercial property and industrial property, excluding  
7 properties referred to in section 427A.1, subsection  
8 8, shall be assessed shall be calculated in accordance  
9 with the methods provided herein, except that any  
10 references to six percent in this subsection shall be  
11 four percent. For valuations established as of January  
12 1, 1981, and each year thereafter, the percentage of  
13 actual value at which property valued by the department  
14 of revenue pursuant to chapters 428, 433, 437, and 438  
15 shall be assessed shall be calculated in accordance  
16 with the methods provided herein, except that any  
17 references to ten percent in this subsection shall be  
18 eight percent. Beginning with valuations established  
19 as of January 1, 1979, and each assessment year  
20 thereafter beginning before January 1, 2013, property  
21 valued by the department of revenue pursuant to chapter  
22 434 shall also be assessed at a percentage of its  
23 actual value which percentage shall be equal to the  
24 percentage determined by the director of revenue for  
25 commercial property, industrial property, or property  
26 valued by the department of revenue pursuant to  
27 chapters 428, 433, 437, and 438, whichever is lowest.  
28 For valuations established on or after January 1, 2013,  
29 but before January 1, 2017, commercial property and  
30 industrial property shall be assessed as provided in  
31 paragraphs "b" and "c", as applicable. For valuations  
32 established as of January 1, 2017, and each assessment  
33 year thereafter, the percentage of actual value as  
34 equalized by the director of revenue as provided in  
35 section 441.49 at which commercial property, excluding  
36 properties referred to in section 427A.1, subsection  
37 8, shall be assessed shall be calculated in accordance  
38 with the methods provided in this subsection, including  
39 the limitation in subsection 5A, except that any  
40 references to six percent in this subsection shall be  
41 two percent. For valuations established on or after  
42 January 1, 2017, industrial property shall be assessed  
43 at a percentage of its actual value equal to the  
44 percentage of actual value at which property assessed  
45 as commercial property is assessed for the same  
46 assessment year following application of the limitation  
47 in subsection 5A, if applicable. For valuations  
48 established on or after January 1, 2013, property  
49 valued by the department of revenue pursuant to chapter  
50 434 shall be assessed at a percentage of its actual



1 value equal to the percentage of actual value at which  
2 property assessed as commercial property is assessed  
3 for the same assessment year following application of  
4 the limitation in subsection 5A, if applicable.

5 b. For valuations established on or after January  
6 1, 2013, but before January 1, 2017, commercial  
7 property, excluding properties referred to in section  
8 427A.1, subsection 8, shall be assessed at a percentage  
9 of its actual value, as determined in this paragraph  
10 "b". For valuations established for the assessment  
11 year beginning January 1, 2013, the percentage of  
12 actual value as equalized by the director of revenue  
13 as provided in section 441.49 at which commercial  
14 property shall be assessed shall be ninety-five  
15 percent. For valuations established for the assessment  
16 year beginning January 1, 2014, the percentage of  
17 actual value as equalized by the director of revenue  
18 as provided in section 441.49 at which commercial  
19 property shall be assessed shall be ninety percent.  
20 For valuations established for the assessment year  
21 beginning January 1, 2015, the percentage of actual  
22 value as equalized by the director of revenue as  
23 provided in section 441.49 at which commercial property  
24 shall be assessed shall be eighty-five percent.  
25 For valuations established for the assessment year  
26 beginning January 1, 2016, the percentage of actual  
27 value as equalized by the director of revenue as  
28 provided in section 441.49 at which commercial property  
29 shall be assessed shall be eighty percent.

30 c. For valuations established on or after January  
31 1, 2013, but before January 1, 2017, industrial  
32 property, excluding properties referred to in section  
33 427A.1, subsection 8, shall be assessed at a percentage  
34 of its actual value, as determined in this paragraph  
35 "c". For valuations established for the assessment  
36 year beginning January 1, 2013, the percentage of  
37 actual value as equalized by the director of revenue  
38 as provided in section 441.49 at which industrial  
39 property shall be assessed shall be ninety-five  
40 percent. For valuations established for the assessment  
41 year beginning January 1, 2014, the percentage of  
42 actual value as equalized by the director of revenue  
43 as provided in section 441.49 at which industrial  
44 property shall be assessed shall be ninety percent.  
45 For valuations established for the assessment year  
46 beginning January 1, 2015, the percentage of actual  
47 value as equalized by the director of revenue as  
48 provided in section 441.49 at which industrial property  
49 shall be assessed shall be eighty-five percent.  
50 For valuations established for the assessment year



1 beginning January 1, 2016, the percentage of actual  
2 value as equalized by the director of revenue as  
3 provided in section 441.49 at which industrial property  
4 shall be assessed shall be eighty percent.

5 Sec. 6. Section 441.21, Code 2013, is amended by  
6 adding the following new subsection:

7 NEW SUBSECTION. 5A. In addition to the limitation  
8 of increases for agricultural and residential property  
9 applicable under subsection 4 and the limitation  
10 of increase for commercial property applicable  
11 under subsection 5, for valuations established for  
12 the assessment year beginning January 1, 2017, and  
13 each assessment year thereafter, for residential,  
14 agricultural, and commercial property, the assessed  
15 value of each of these three classes of property shall  
16 be limited to the percentage increase of that class of  
17 property that is the lowest percentage increase under  
18 the allowable limit adjusted to include the applicable  
19 and current values as equalized by the director of  
20 revenue.

21 Sec. 7. NEW SECTION. 441.21A Commercial and  
22 industrial property tax replacement ---- replacement  
23 claims.

24 1. a. For each fiscal year beginning on or after  
25 July 1, 2014, there is appropriated from the general  
26 fund of the state to the department of revenue an  
27 amount necessary for the payment of all commercial  
28 and industrial property tax replacement claims under  
29 this section for the fiscal year. However, for a  
30 fiscal year beginning on or after July 1, 2018, the  
31 total amount of moneys appropriated from the general  
32 fund of the state to the department of revenue for  
33 the payment of commercial and industrial property tax  
34 replacement claims in that fiscal year shall not exceed  
35 the total amount of money that was necessary to pay  
36 all commercial and industrial property tax replacement  
37 claims for the fiscal year beginning July 1, 2017.

38 b. Moneys appropriated by the general assembly to  
39 the department under this subsection for the payment  
40 of commercial and industrial property tax replacement  
41 claims are not subject to a uniform reduction in  
42 appropriations in accordance with section 8.31.

43 2. Beginning with the fiscal year beginning  
44 July 1, 2014, each county treasurer shall be paid  
45 by the department of revenue an amount equal to the  
46 amount of the commercial and industrial property tax  
47 replacement claims in the county, as calculated in  
48 subsection 4. For fiscal years beginning on or after  
49 July 1, 2018, if an amount appropriated for a fiscal  
50 year is insufficient to pay all replacement claims,





1 the director of revenue shall prorate the payment of  
2 replacement claims to the county treasurers and shall  
3 notify the county auditors of the pro rata percentage  
4 on or before September 30.

5 3. On or before July 1 of each fiscal year  
6 beginning on or after July 1, 2014, the assessor shall  
7 report to the county auditor the total actual value of  
8 all commercial property and industrial property in the  
9 county for the assessment year used to calculate the  
10 taxes due and payable in that fiscal year.

11 4. On or before a date established by rule of the  
12 department of revenue of each fiscal year beginning on  
13 or after July 1, 2014, the county auditor shall prepare  
14 a statement, based upon the report received pursuant  
15 to subsection 3, listing for each taxing district in  
16 the county:

17 a. The difference between the assessed valuation  
18 of all commercial property and industrial property for  
19 the assessment year used to calculate taxes which are  
20 due and payable in the applicable fiscal year and the  
21 actual value of all commercial property and industrial  
22 property for the same assessment year. If the  
23 difference between the assessed value of all commercial  
24 property and industrial property and the actual  
25 valuation of all commercial property and industrial  
26 property is zero, there is no tax replacement for that  
27 taxing district for the fiscal year.

28 b. The tax levy rate per one thousand dollars of  
29 assessed value for each taxing district for that fiscal  
30 year.

31 c. The commercial and industrial property tax  
32 replacement claim for each taxing district. The  
33 replacement claim is equal to the amount determined  
34 pursuant to paragraph "a", multiplied by the tax rate  
35 specified in paragraph "b", and then divided by one  
36 thousand dollars.

37 5. For purposes of computing replacement amounts  
38 under this section, that portion of an urban renewal  
39 area defined as the sum of the assessed valuations  
40 defined in section 403.19, subsections 1 and 2, shall  
41 be considered a taxing district.

42 6. a. The county auditor shall certify and forward  
43 one copy of the statement to the department of revenue  
44 not later than a date of each year established by the  
45 department of revenue by rule.

46 b. The replacement claims shall be paid to each  
47 county treasurer in equal installments in September  
48 and March of each year. The county treasurer shall  
49 apportion the replacement claim payments among the  
50 eligible taxing districts in the county.



1 c. If the taxing district is an urban renewal  
2 area, the amount of the replacement claim shall be  
3 apportioned and credited to those portions of the  
4 assessed value defined in section 403.19, subsections  
5 1 and 2, as follows:

6 (1) To that portion defined in section 403.19,  
7 subsection 1, an amount of the replacement claim that  
8 is proportionate to the amount of actual value of the  
9 commercial and industrial property in the urban renewal  
10 area as determined in section 403.19, subsection 1,  
11 that was subtracted pursuant to section 403.20, as  
12 it bears to the total amount of actual value of the  
13 commercial and industrial property in the urban renewal  
14 area that was subtracted pursuant to section 403.20 for  
15 the assessment year for property taxes due and payable  
16 in the fiscal year for which the replacement claim is  
17 computed.

18 (2) To that portion defined in section 403.19,  
19 subsection 2, the remaining amount, if any.

20 d. Notwithstanding the allocation provisions of  
21 paragraph "c", the amount of the tax replacement amount  
22 that shall be allocated to that portion of the assessed  
23 value defined in section 403.19, subsection 2, shall  
24 not exceed the amount equal to the amount certified to  
25 the county auditor under section 403.19 for the fiscal  
26 year in which the claim is paid, after deduction of  
27 the amount of other revenues committed for payment  
28 on that amount for the fiscal year. The amount not  
29 allocated to that portion of the assessed value defined  
30 in section 403.19, subsection 2, as a result of the  
31 operation of this paragraph, shall be allocated to that  
32 portion of assessed value defined in section 403.19,  
33 subsection 1.

34 e. The amount of the replacement claim amount  
35 credited to the portion of the assessed value defined  
36 in section 403.19, subsection 1, shall be allocated  
37 to and when received be paid into the fund for the  
38 respective taxing district as taxes by or for the  
39 taxing district into which all other property taxes  
40 are paid. The amount of the replacement claim amount  
41 credited to the portion of the assessed value defined  
42 in section 403.19, subsection 2, shall be allocated to  
43 and when collected be paid into the special fund of the  
44 municipality under section 403.19, subsection 2.

45 Sec. 8. SAVINGS PROVISION. This division of this  
46 Act, pursuant to section 4.13, does not affect the  
47 operation of, or prohibit the application of, prior  
48 provisions of section 441.21, or rules adopted under  
49 chapter 17A to administer prior provisions of section  
50 441.21, for assessment years beginning before January



1 1, 2013, and for duties, powers, protests, appeals,  
2 proceedings, actions, or remedies attributable to an  
3 assessment year beginning before January 1, 2013.

4 Sec. 9. EFFECTIVE UPON ENACTMENT. This division of  
5 this Act, being deemed of immediate importance, takes  
6 effect upon enactment.

7 Sec. 10. RETROACTIVE APPLICABILITY. This division  
8 of this Act applies retroactively to January 1, 2013,  
9 for assessment years beginning on or after that date.

10 DIVISION II

11 SCHOOL DISTRICT FUNDING

12 Sec. 11. Section 257.1, subsection 2, paragraph b,  
13 Code 2013, is amended by striking the paragraph and  
14 inserting in lieu thereof the following:

15 b. (1) The regular program foundation base per  
16 pupil is the following:

17 (a) For the budget year commencing July 1,  
18 2012, and the budget year commencing July 1, 2013,  
19 the regular program foundation base per pupil is  
20 eighty-seven and five-tenths percent of the regular  
21 program state cost per pupil.

22 (b) For the budget year commencing July 1, 2014,  
23 the regular program foundation base per pupil is  
24 eighty-nine and three hundred seventy-five thousandths  
25 percent of the regular program state cost per pupil.

26 (c) For the budget year commencing July 1, 2015,  
27 the regular program foundation base per pupil is  
28 ninety-one and twenty-five hundredths percent of the  
29 regular program state cost per pupil.

30 (d) For the budget year commencing July 1, 2016,  
31 the regular program foundation base per pupil is  
32 ninety-three and one hundred twenty-five thousandths  
33 percent of the regular program state cost per pupil.

34 (e) For the budget year commencing July 1, 2017,  
35 and succeeding budget years, the regular program  
36 foundation base per pupil is ninety-five percent of the  
37 regular program state cost per pupil.

38 (2) For each budget year, the special education  
39 support services foundation base is seventy-nine  
40 percent of the special education support services state  
41 cost per pupil. The combined foundation base is the  
42 sum of the regular program foundation base, the special  
43 education support services foundation base, the total  
44 teacher salary supplement district cost, the total  
45 professional development supplement district cost, the  
46 total early intervention supplement district cost, the  
47 total area education agency teacher salary supplement  
48 district cost, and the total area education agency  
49 professional development supplement district cost.

50 DIVISION III



MULTIRESIDENTIAL PROPERTY CLASSIFICATION

Sec. 12. Section 404.2, subsection 2, paragraph f, Code 2013, is amended to read as follows:

f. A statement specifying whether the revitalization is applicable to none, some, or all of the property assessed as residential, multiresidential, agricultural, commercial, or industrial property within the designated area or a combination thereof and whether the revitalization is for rehabilitation and additions to existing buildings or new construction or both. If revitalization is made applicable only to some property within an assessment classification, the definition of that subset of eligible property must be by uniform criteria which further some planning objective identified in the plan. The city shall state how long it is estimated that the area shall remain a designated revitalization area which time shall be longer than one year from the date of designation and shall state any plan by the city to issue revenue bonds for revitalization projects within the area. For a county, a revitalization area shall include only property which will be used as industrial property, commercial property, ~~commercial property consisting of three or more separate living quarters with at least seventy five percent of the space used for residential purposes,~~ multiresidential property, or residential property. However, a county shall not provide a tax exemption under this chapter to commercial property, ~~commercial property consisting of three or more separate living quarters with at least seventy five percent of the space used for residential purposes~~ multiresidential property, or residential property which is located within the limits of a city.

Sec. 13. Section 404.3, subsection 4, Code 2013, is amended to read as follows:

4. All qualified real estate assessed as residential property ~~or assessed as commercial property, if the commercial property consists of three or more separate living quarters with at least seventy five percent of the space used for residential purposes,~~ or assessed as multiresidential property is eligible to receive a one hundred percent exemption from taxation on the actual value added by the improvements. The exemption is for a period of ten years.

Sec. 14. Section 441.21, subsection 8, paragraph b, Code 2013, is amended to read as follows:

b. Notwithstanding paragraph "a", any construction or installation of a solar energy system on property classified as agricultural, residential, commercial,





1 multiresidential, or industrial property shall not  
2 increase the actual, assessed, and taxable values of  
3 the property for five full assessment years.

4 Sec. 15. Section 441.21, subsections 9 and 10, Code  
5 2013, are amended to read as follows:

6 9. Not later than November 1, 1979, and November  
7 1 of each subsequent year, the director shall  
8 certify to the county auditor of each county the  
9 percentages of actual value at which residential  
10 property, agricultural property, commercial property,  
11 industrial property, multiresidential property, and  
12 property valued by the department of revenue pursuant  
13 to chapters 428, 433, 434, 437, and 438 in each  
14 assessing jurisdiction in the county shall be assessed  
15 for taxation. The county auditor shall proceed  
16 to determine the assessed values of agricultural  
17 property, residential property, commercial property,  
18 industrial property, multiresidential property, and  
19 property valued by the department of revenue pursuant  
20 to chapters 428, 433, 434, 437, and 438 by applying  
21 such percentages to the current actual value of such  
22 property, as reported to the county auditor by the  
23 assessor, and the assessed values so determined shall  
24 be the taxable values of such properties upon which the  
25 levy shall be made.

26 10. The percentage of actual value computed by  
27 the director for agricultural property, residential  
28 property, commercial property, industrial property,  
29 multiresidential property, and property valued by the  
30 department of revenue pursuant to chapters 428, 433,  
31 434, 437, and 438 and used to determine assessed values  
32 of those classes of property does not constitute a rule  
33 as defined in section 17A.2, subsection 11.

34 Sec. 16. Section 441.21, Code 2013, is amended by  
35 adding the following new subsection:

36 NEW SUBSECTION. 13. a. Beginning with valuations  
37 established on or after January 1, 2014, mobile home  
38 parks, manufactured home communities, land-leased  
39 communities, assisted living facilities, and that  
40 portion of a building that is used for human habitation  
41 and a proportionate share of the land upon which  
42 the building is situated, even if the use for human  
43 habitation is not the primary use of the building, and  
44 regardless of the number of dwelling units located  
45 in the building, and not otherwise classified as  
46 residential property, shall be valued as a separate  
47 class of property known as multiresidential property  
48 and, excluding properties referred to in section  
49 427A.1, subsection 8, shall be assessed at a percentage  
50 of its actual value, as determined in this subsection.



1 For valuations established for the assessment year  
2 beginning January 1, 2014, the percentage of actual  
3 value as equalized by the director of revenue as  
4 provided in section 441.49 at which multiresidential  
5 property shall be assessed shall be ninety percent.  
6 For valuations established for the assessment year  
7 beginning January 1, 2015, the percentage of actual  
8 value as equalized by the director of revenue as  
9 provided in section 441.49 at which multiresidential  
10 property shall be assessed shall be eighty percent.  
11 For valuations established for the assessment year  
12 beginning January 1, 2016, the percentage of actual  
13 value as equalized by the director of revenue as  
14 provided in section 441.49 at which multiresidential  
15 property shall be assessed shall be seventy percent.  
16 For valuations established for the assessment year  
17 beginning January 1, 2017, the percentage of actual  
18 value as equalized by the director of revenue as  
19 provided in section 441.49 at which multiresidential  
20 property shall be assessed shall be sixty percent.  
21 For valuations established for the assessment year  
22 beginning January 1, 2018, and each assessment year  
23 thereafter, the percentage of actual value as equalized  
24 by the director of revenue as provided in section  
25 441.49 at which multiresidential property shall be  
26 assessed shall be equal to the percentage of actual  
27 value at which property assessed as residential  
28 property is assessed under subsection 4 for the same  
29 assessment year, after application of the limitations  
30 on increases in residential property provided for in  
31 this section.

32 b. Accordingly, the assessor may assign more than  
33 one classification to a parcel of property that, in  
34 part, satisfies the requirements of this subsection.

35 c. In no case, however, shall property that is  
36 rented or leased to low-income individuals and families  
37 as authorized by section 42 of the Internal Revenue  
38 Code, and that is subject to assessment procedures  
39 relating to section 42 property under section 441.21,  
40 subsection 2, or a hotel, motel, inn, or other building  
41 where rooms or dwelling units are usually rented for  
42 less than one month be classified as multiresidential  
43 property under this subsection.

44 d. As used in this subsection:

45 (1) "Assisted living facility" means property for  
46 providing assisted living as defined in section 231C.2.  
47 "Assisted living facility" also includes a health care  
48 facility, as defined in section 135C.1, an elder group  
49 home, as defined in section 231B.1, a child foster care  
50 facility under chapter 237, or property used for a



1 hospice program as defined in section 135J.1.

2 (2) "Dwelling unit" means an apartment, group of  
3 rooms, or single room which is occupied as separate  
4 living quarters or, if vacant, is intended for  
5 occupancy as separate living quarters, in which a  
6 tenant can live and sleep separately from any other  
7 persons in the building.

8 (3) "Land-leased community" means the same as  
9 defined in sections 335.30A and 414.28A.

10 (4) "Manufactured home community" means the same as  
11 a land-leased community.

12 (5) "Mobile home park" means the same as defined in  
13 section 435.1.

14 Sec. 17. Section 558.46, subsection 5, Code 2013,  
15 is amended to read as follows:

16 5. For the purposes of this section, "residential  
17 property" includes ~~commercial~~ multiresidential property  
18 as defined in section 441.21, subsection 13, consisting  
19 of three or more separate living quarters with at least  
20 seventy-five percent of the space used for residential  
21 purposes.

22 Sec. 18. APPLICABILITY. This division of this  
23 Act applies to assessment years beginning on or after  
24 January 1, 2014.

25 DIVISION IV

26 TELECOMMUNICATIONS COMPANY PROPERTY TAXATION

27 Sec. 19. Section 427A.1, subsection 1, paragraph h,  
28 Code 2013, is amended to read as follows:

29 h. Property assessed by the department of revenue  
30 pursuant to sections 428.24 to 428.29, or chapters ~~433-~~  
31 ~~434, 437, 437A, and 438.~~

32 Sec. 20. Section 427A.1, subsection 1, Code 2013,  
33 is amended by adding the following new paragraph:

34 NEW PARAGRAPH. 0i. Qualified telephone company  
35 property that is used in the transaction of telegraph  
36 and telephone business by a company that is subject to  
37 assessment by the department of revenue pursuant to  
38 chapter 433. "Qualified telephone company property"  
39 means poles, aerial cable, underground cable, buried  
40 cable, submarine and deep sea cable, intrabuilding  
41 network cable, aerial wire, and conduit systems, all  
42 within the meaning of the telecommunications companies  
43 account provisions of 47 C.F.R. pt. 32, in effect on  
44 the effective date of this division of this Act.

45 Sec. 21. Section 433.1, subsection 4, Code 2013, is  
46 amended to read as follows:

47 4. The whole number of stations on each line, and  
48 the value of the same, ~~including furniture.~~

49 Sec. 22. Section 433.4, Code 2013, is amended to  
50 read as follows:



1 433.4 Assessment.

2 The director of revenue shall on or before October  
3 31 each year and in the same manner and subject to the  
4 provisions for the assessment of property assessed  
5 as commercial property by the local assessor under  
6 chapters 427, 427A, 427B, 428, and 441, proceed to find  
7 the actual value of the property of these companies  
8 in this state that is used by the companies in the  
9 transaction of telegraph and telephone business, taking  
10 into consideration the information obtained from the  
11 statements required, and any further information the  
12 director can obtain, using the same as a means for  
13 determining the actual ~~cash~~ value of the property  
14 of these companies within this state. The director  
15 shall also take into consideration the valuation of  
16 all property of these companies, including franchises  
17 and the use of the property in connection with lines  
18 outside the state, and making these deductions as may  
19 be necessary on account of extra value of property  
20 outside the state as compared with the value of  
21 property in the state, in order that the actual ~~cash~~  
22 value of the property of the company within this state  
23 may be ascertained. ~~The assessment shall include~~  
24 ~~all property of every kind and character whatsoever,~~  
25 ~~real, personal, or mixed, used by the companies in the~~  
26 ~~transaction of telegraph and telephone business; and~~  
27 ~~the~~ The property so included in the assessment shall  
28 not be taxed in any other manner than as provided in  
29 this chapter.

30 Sec. 23. Section 441.21, subsection 5, Code 2013,  
31 is amended to read as follows:

32 5. For valuations established as of January 1,  
33 1979, commercial property and industrial property,  
34 excluding properties referred to in section 427A.1,  
35 subsection 8, shall be assessed as a percentage of  
36 the actual value of each class of property. The  
37 percentage shall be determined for each class of  
38 property by the director of revenue for the state in  
39 accordance with the provisions of this section. For  
40 valuations established as of January 1, 1979, the  
41 percentage shall be the quotient of the dividend and  
42 divisor as defined in this section. The dividend  
43 for each class of property shall be the total actual  
44 valuation for each class of property established for  
45 1978, plus six percent of the amount so determined.  
46 The divisor for each class of property shall be the  
47 valuation for each class of property established for  
48 1978, as reported by the assessors on the abstracts  
49 of assessment for 1978, plus the amount of value  
50 added to the total actual value by the revaluation





1 of existing properties in 1979 as equalized by the  
2 director of revenue pursuant to section 441.49. For  
3 valuations established as of January 1, 1979, property  
4 valued by the department of revenue pursuant to  
5 chapters 428, ~~433~~, 437, and 438 shall be considered  
6 as one class of property and shall be assessed as a  
7 percentage of its actual value. The percentage shall  
8 be determined by the director of revenue in accordance  
9 with the provisions of this section. For valuations  
10 established as of January 1, 1979, the percentage  
11 shall be the quotient of the dividend and divisor as  
12 defined in this section. The dividend shall be the  
13 total actual valuation established for 1978 by the  
14 department of revenue, plus ten percent of the amount  
15 so determined. The divisor for property valued by  
16 the department of revenue pursuant to chapters 428,  
17 ~~433~~, 437, and 438 shall be the valuation established  
18 for 1978, plus the amount of value added to the total  
19 actual value by the revaluation of the property by  
20 the department of revenue as of January 1, 1979.  
21 For valuations established as of January 1, 1980,  
22 commercial property and industrial property, excluding  
23 properties referred to in section 427A.1, subsection  
24 8, shall be assessed at a percentage of the actual  
25 value of each class of property. The percentage  
26 shall be determined for each class of property by  
27 the director of revenue for the state in accordance  
28 with the provisions of this section. For valuations  
29 established as of January 1, 1980, the percentage  
30 shall be the quotient of the dividend and divisor as  
31 defined in this section. The dividend for each class  
32 of property shall be the dividend as determined for  
33 each class of property for valuations established as  
34 of January 1, 1979, adjusted by the product obtained  
35 by multiplying the percentage determined for that year  
36 by the amount of any additions or deletions to actual  
37 value, excluding those resulting from the revaluation  
38 of existing properties, as reported by the assessors  
39 on the abstracts of assessment for 1979, plus four  
40 percent of the amount so determined. The divisor  
41 for each class of property shall be the total actual  
42 value of all such property in 1979, as equalized by  
43 the director of revenue pursuant to section 441.49,  
44 plus the amount of value added to the total actual  
45 value by the revaluation of existing properties in  
46 1980. The director shall utilize information reported  
47 on the abstracts of assessment submitted pursuant  
48 to section 441.45 in determining such percentage.  
49 For valuations established as of January 1, 1980,  
50 property valued by the department of revenue pursuant



1 to chapters 428, ~~433~~, 437, and 438 shall be assessed  
2 at a percentage of its actual value. The percentage  
3 shall be determined by the director of revenue in  
4 accordance with the provisions of this section. For  
5 valuations established as of January 1, 1980, the  
6 percentage shall be the quotient of the dividend and  
7 divisor as defined in this section. The dividend shall  
8 be the total actual valuation established for 1979 by  
9 the department of revenue, plus eight percent of the  
10 amount so determined. The divisor for property valued  
11 by the department of revenue pursuant to chapters 428,  
12 ~~433~~, 437, and 438 shall be the valuation established  
13 for 1979, plus the amount of value added to the total  
14 actual value by the revaluation of the property by  
15 the department of revenue as of January 1, 1980. For  
16 valuations established as of January 1, 1981, and  
17 each year thereafter, the percentage of actual value  
18 as equalized by the director of revenue as provided  
19 in section 441.49 at which commercial property and  
20 industrial property, excluding properties referred to  
21 in section 427A.1, subsection 8, shall be assessed  
22 shall be calculated in accordance with the methods  
23 provided herein, except that any references to six  
24 percent in this subsection shall be four percent. For  
25 valuations established as of January 1, 1981, and  
26 each year thereafter, the percentage of actual value  
27 at which property valued by the department of revenue  
28 pursuant to chapters 428, ~~433~~, 437, and 438 shall be  
29 assessed shall be calculated in accordance with the  
30 methods provided herein, except that any references to  
31 ten percent in this subsection shall be eight percent.  
32 For valuations established on or after January 1, 2013,  
33 property valued by the department of revenue pursuant  
34 to chapter 433 shall be assessed at a percentage of  
35 its actual value. For valuations established for  
36 the assessment year beginning January 1, 2013, the  
37 percentage of actual value at which property valued by  
38 the department of revenue pursuant to chapter 433 shall  
39 be assessed shall be eighty percent. For valuations  
40 established for the assessment year beginning January  
41 1, 2014, and each year thereafter, the percentage of  
42 actual value at which property valued by the department  
43 of revenue pursuant to chapter 433 shall be assessed  
44 shall be sixty percent. Beginning with valuations  
45 established as of January 1, 1979, and each year  
46 thereafter, property valued by the department of  
47 revenue pursuant to chapter 434 shall also be assessed  
48 at a percentage of its actual value which percentage  
49 shall be equal to the percentage determined by the  
50 director of revenue for commercial property, industrial



1 property, or property valued by the department of  
2 revenue pursuant to chapters 428, ~~433~~, 437, and 438,  
3 whichever is lowest.

4 Sec. 24. Section 441.21, subsections 9 and 10, Code  
5 2013, are amended to read as follows:

6 9. Not later than November 1, 1979, and November  
7 1 of each subsequent year, the director shall certify  
8 to the county auditor of each county the percentages  
9 of actual value at which residential property,  
10 agricultural property, commercial property, industrial  
11 property, property valued by the department of  
12 revenue under chapter 433, and property valued by  
13 the department of revenue pursuant to chapters 428,  
14 ~~433~~, 434, 437, and 438 in each assessing jurisdiction  
15 in the county shall be assessed for taxation. The  
16 county auditor shall proceed to determine the assessed  
17 values of agricultural property, residential property,  
18 commercial property, industrial property, property  
19 valued by the department of revenue under chapter  
20 433, and property valued by the department of revenue  
21 pursuant to chapters 428, ~~433~~, 434, 437, and 438 by  
22 applying such percentages to the current actual value  
23 of such property, as reported to the county auditor by  
24 the assessor, and the assessed values so determined  
25 shall be the taxable values of such properties upon  
26 which the levy shall be made.

27 10. The percentage of actual value computed by  
28 the director for agricultural property, residential  
29 property, commercial property, industrial property,  
30 property valued by the department of revenue under  
31 chapter 433, and property valued by the department of  
32 revenue pursuant to chapters 428, ~~433~~, 434, 437, and  
33 438 and used to determine assessed values of those  
34 classes of property does not constitute a rule as  
35 defined in section 17A.2, subsection 11.

36 Sec. 25. Section 476.1D, subsection 10, Code 2013,  
37 is amended by striking the subsection.

38 Sec. 26. EFFECTIVE DATE. The sections of this  
39 division of this Act amending section 441.21, being  
40 deemed of immediate importance, take effect upon  
41 enactment.

42 Sec. 27. APPLICABILITY.

43 1. Except as provided in subsection 2, this  
44 division of this Act applies to assessment years  
45 beginning on or after January 1, 2014.

46 2. The sections of this division of this Act  
47 amending section 441.21 apply retroactively to  
48 assessment years beginning on or after January 1,  
49 2013.>

50 2. Title page, by striking lines 1 through 4 and



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1 inserting <An Act relating to state and local finances  
2 by establishing and modifying property assessment  
3 limitations, providing for commercial and industrial  
4 property tax replacement payments, increasing  
5 the regular program foundation base percentage,  
6 providing for the taxation of multiresidential  
7 property, modifying provisions for the taxation  
8 of telecommunications company property, making  
9 appropriations, and including effective date,  
10 retroactive applicability, and other applicability  
11 provisions.>

**By** SANDS of Louisa

**H-1308** FILED APRIL 16, 2013

SENATE FILE 295

H-1309

1 Amend the amendment, H-1308, to Senate File 295, as  
2 passed by the Senate, as follows:

3 1. Page 18, after line 49 by inserting:

4 <DIVISION \_\_\_\_  
5 TAXPAYERS TRUST FUND

6 Sec. \_\_\_\_\_. Section 8.54, subsection 5, Code 2013, is  
7 amended by striking the subsection.

8 Sec. \_\_\_\_\_. Section 8.55, subsection 2, Code 2013, is  
9 amended to read as follows:

10 2. The maximum balance of the fund is the amount  
11 equal to two and one-half percent of the adjusted  
12 revenue estimate for the fiscal year. If the amount of  
13 moneys in the Iowa economic emergency fund is equal to  
14 the maximum balance, moneys in excess of this amount  
15 shall be ~~distributed as follows:~~

16 ~~a. The first sixty million dollars of the~~  
17 ~~difference between the actual net revenue for the~~  
18 ~~general fund of the state for the fiscal year and the~~  
19 ~~adjusted revenue estimate for the fiscal year shall be~~  
20 transferred to the taxpayers trust fund.

21 ~~b. The remainder of the excess, if any, shall be~~  
22 ~~transferred to the general fund of the state.~~

23 Sec. \_\_\_\_\_. Section 8.57E, subsection 2, Code 2013,  
24 is amended to read as follows:

25 2. Moneys in the taxpayers trust fund shall only  
26 be used pursuant to appropriations or transfers made  
27 by the general assembly for tax relief. During each  
28 fiscal year beginning on or after July 1, 2014, in  
29 which the balance of the taxpayers trust fund equals or  
30 exceeds thirty million dollars, there is transferred  
31 from the taxpayers trust fund to the Iowa taxpayers  
32 trust fund tax credit fund created in section 422.11E,  
33 the entire balance of the taxpayers trust fund to be  
34 used for the Iowa taxpayers trust fund tax credit in  
35 accordance with section 422.11E, subsection 5.

36 Sec. \_\_\_\_\_. Section 8.58, Code 2013, is amended to  
37 read as follows:

38 8.58 Exemption from automatic application.

39 1. ~~To the extent that moneys appropriated under~~  
40 ~~section 8.57 do not result in moneys being credited~~  
41 ~~to the general fund under section 8.55, subsection 2,~~  
42 ~~moneys~~ Moneys appropriated under in section 8.57 and  
43 moneys contained in the cash reserve fund, rebuild  
44 Iowa infrastructure fund, environment first fund, Iowa  
45 economic emergency fund, and taxpayers trust fund shall  
46 not be considered in the application of any formula,  
47 index, or other statutory triggering mechanism which  
48 would affect appropriations, payments, or taxation



49 rates, contrary provisions of the Code notwithstanding.

50 2. ~~To the extent that moneys appropriated under~~

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-1-

~~1 section 8.57 do not result in moneys being credited~~  
~~2 to the general fund under section 8.55, subsection 2,~~  
~~3 moneys~~ Moneys appropriated ~~under~~ in section 8.57 and  
4 moneys contained in the cash reserve fund, rebuild  
5 Iowa infrastructure fund, environment first fund, Iowa  
6 economic emergency fund, and taxpayers trust fund shall  
7 not be considered by an arbitrator or in negotiations  
8 under chapter 20.

9 Sec. \_\_\_\_\_. EFFECTIVE UPON ENACTMENT. This division  
10 of this Act, being deemed of immediate importance,  
11 takes effect upon enactment.

12 Sec. \_\_\_\_\_. RETROACTIVE APPLICABILITY. This division  
13 of this Act applies retroactively to July 1, 2012, to  
14 moneys attributed to fiscal years beginning on or after  
15 July 1, 2012.

16 DIVISION \_\_\_\_

17 IOWA TAXPAYERS TRUST FUND TAX CREDIT

18 Sec. \_\_\_\_\_. TAXPAYERS TRUST FUND ---- IOWA TAXPAYERS  
19 TRUST FUND TAX CREDIT TRANSFER. During the fiscal  
20 year beginning July 1, 2013, there is transferred from  
21 the taxpayers trust fund created in section 8.57E to  
22 the Iowa taxpayers trust fund tax credit fund created  
23 in section 422.11E, an amount equal to the sum of  
24 the balance of the taxpayers trust fund as determined  
25 after the close of the fiscal year beginning July 1,  
26 2012, and ending June 30, 2013, including the amount  
27 transferred for that fiscal year to the taxpayers trust  
28 fund from the Iowa economic emergency fund created  
29 in section 8.55 in the fiscal year beginning July 1,  
30 2013, and ending June 30, 2014, to be used for the Iowa  
31 taxpayers trust fund tax credit in accordance with  
32 section 422.11E, subsection 5.

33 Sec. \_\_\_\_\_. Section 257.21, unnumbered paragraph 2,  
34 Code 2013, is amended to read as follows:

35 The instructional support income surtax shall be  
36 imposed on the state individual income tax for the  
37 calendar year during which the school's budget year  
38 begins, or for a taxpayer's fiscal year ending during  
39 the second half of that calendar year and after the  
40 date the board adopts a resolution to participate  
41 in the program or the first half of the succeeding  
42 calendar year, and shall be imposed on all individuals  
43 residing in the school district on the last day of  
44 the applicable tax year. As used in this section,  
45 "state individual income tax" means the taxes computed  
46 under section 422.5, less the amounts of nonrefundable  
47 credits allowed under chapter 422, division II, except  
48 for the Iowa taxpayers trust fund tax credit allowed  
49 under section 422.11E.

50 Sec. \_\_\_\_\_. NEW SECTION. 422.11E Iowa taxpayers



1 trust fund tax credit.

2 1. For purposes of this section, unless the context  
3 otherwise requires:

4 a. "Eligible individual" means, with respect to  
5 a tax year, an individual who makes and files an  
6 individual income tax return pursuant to section  
7 422.13. "Eligible individual" does not include  
8 an estate or trust, or an individual for whom an  
9 individual income tax return was not timely filed,  
10 including extensions.

11 b. "Unclaimed tax credit" means, with respect to  
12 a tax year, the aggregate amount by which the Iowa  
13 taxpayers trust fund tax credits that were eligible to  
14 be claimed by eligible individuals, if any, exceeds the  
15 Iowa taxpayers trust fund tax credits actually claimed  
16 by eligible individuals, if any.

17 2. The taxes imposed under this division, less the  
18 credits allowed under this division except the credits  
19 for withheld tax and estimated tax paid in section  
20 422.16, shall be reduced by an Iowa taxpayers trust  
21 fund tax credit to an eligible individual for the tax  
22 year beginning January 1 immediately preceding July 1  
23 of any fiscal year during which a transfer, if any, is  
24 made from the taxpayers trust fund in section 8.57E to  
25 the Iowa taxpayers trust fund tax credit fund created  
26 in this section.

27 3. The credit shall be equal to the quotient of  
28 the amount transferred to the Iowa taxpayers trust  
29 fund tax credit fund in the applicable fiscal year,  
30 divided by the number of eligible individuals for the  
31 tax year immediately preceding the tax year for which  
32 the credit in this section is allowed, as determined  
33 by the director of revenue in accordance with this  
34 section, rounded down to the nearest whole dollar. The  
35 department of revenue shall draft the income tax form  
36 for any tax year in which a credit will be allowed  
37 under this section to provide the information and space  
38 necessary for eligible individuals to claim the credit.

39 4. Any credit in excess of the taxpayer's liability  
40 for the tax year is not refundable and shall not be  
41 credited to the tax liability for any following year  
42 or carried back to a tax year prior to the tax year in  
43 which the taxpayer claims the credit.

44 5. a. There is established within the state  
45 treasury under the control of the department an Iowa  
46 taxpayers trust fund tax credit fund consisting of any  
47 moneys transferred by the general assembly by law from  
48 the taxpayers trust fund created in section 8.57E for  
49 purposes of the credit provided in this section. For  
50 the fiscal year beginning July 1, 2013, and for each



1 fiscal year thereafter, the department shall transfer  
2 from the Iowa taxpayers trust fund tax credit fund  
3 to the general fund of the state, the lesser of the  
4 balance of the Iowa taxpayers trust fund tax credit  
5 fund or an amount of money equal to the Iowa taxpayers  
6 trust fund tax credits claimed in that fiscal year, if  
7 any. Any moneys in the Iowa taxpayers trust fund tax  
8 credit fund which represent unclaimed tax credits shall  
9 immediately revert to the taxpayers trust fund created  
10 in section 8.57E. Interest or earnings on moneys in  
11 the Iowa taxpayers trust fund tax credit fund shall be  
12 credited to the taxpayers trust fund created in section  
13 8.57E.

14 b. The moneys transferred to the general fund of  
15 the state in accordance with this subsection shall not  
16 be considered new revenues for purposes of the state  
17 general fund expenditure limitation under section 8.54  
18 but instead as replacement of a like amount included in  
19 the expenditure limitation for the fiscal year in which  
20 the transfer is made.

21 Sec. \_\_\_\_\_. Section 422D.2, Code 2013, is amended to  
22 read as follows:

23 422D.2 Local income surtax.

24 A county may impose by ordinance a local income  
25 surtax as provided in section 422D.1 at the rate set  
26 by the board of supervisors, of up to one percent,  
27 on the state individual income tax of each individual  
28 residing in the county at the end of the individual's  
29 applicable tax year. However, the cumulative total of  
30 the percents of income surtax imposed on any taxpayer  
31 in the county shall not exceed twenty percent. The  
32 reason for imposing the surtax and the amount needed  
33 shall be set out in the ordinance. The surtax rate  
34 shall be set to raise only the amount needed. For  
35 purposes of this section, "state individual income tax"  
36 means the tax computed under section 422.5, less the  
37 amounts of nonrefundable credits allowed under chapter  
38 422, division II, except for the Iowa taxpayers trust  
39 fund tax credit allowed under section 422.11E.

40 Sec. \_\_\_\_\_. EFFECTIVE UPON ENACTMENT. This division  
41 of this Act, being deemed of immediate importance,  
42 takes effect upon enactment.

43 Sec. \_\_\_\_\_. RETROACTIVE APPLICABILITY. This division  
44 of this Act applies retroactively to January 1, 2013,  
45 for tax years beginning on or after that date.>

46 2. Page 19, line 8, after <property,> by inserting  
47 <modifying provisions relating to the taxpayers trust  
48 fund, providing a taxpayers trust fund tax credit,>

49 3. By renumbering, redesignating, and correcting  
50 internal references as necessary.

H-1309 FILED APRIL 16, 2013 **By** COWNIE of Polk

SENATE FILE 442

H-1306

1 Amend Senate File 442, as passed by the Senate, as  
2 follows:

3 1. By striking everything after the enacting clause  
4 and inserting:

<DIVISION I  
FY 2013-2014

7 Section 1. JUDICIAL BRANCH.

8 1. There is appropriated from the general fund of  
9 the state to the judicial branch for the fiscal year  
10 beginning July 1, 2013, and ending June 30, 2014, the  
11 following amount, or so much thereof as is necessary,  
12 to be used for the purposes designated:

13 a. For salaries of supreme court justices,  
14 appellate court judges, district court judges,  
15 district associate judges, associate juvenile judges,  
16 associate probate judges, judicial magistrates and  
17 staff, state court administrator, clerk of the supreme  
18 court, district court administrators, clerks of the  
19 district court, juvenile court officers, board of law  
20 examiners and board of examiners of shorthand reporters  
21 and judicial qualifications commission; receipt and  
22 disbursement of child support payments; reimbursement  
23 of the auditor of state for expenses incurred in  
24 completing audits of the offices of the clerks of the  
25 district court during the fiscal year beginning July  
26 1, 2013; and maintenance, equipment, and miscellaneous  
27 purposes:

28 ..... \$164,599,367

29 b. For deposit in the revolving fund created  
30 pursuant to section 602.1302, subsection 3, for jury  
31 and witness fees, mileage, costs related to summoning  
32 jurors, fees for interpreters, and reimbursement of  
33 attorney fees paid by the state public defender:

34 ..... \$ 3,100,000

35 2. The judicial branch, except for purposes of  
36 internal processing, shall use the current state budget  
37 system, the state payroll system, and the Iowa finance  
38 and accounting system in administration of programs  
39 and payments for services, and shall not duplicate the  
40 state payroll, accounting, and budgeting systems.

41 3. The judicial branch shall submit monthly  
42 financial statements to the legislative services  
43 agency and the department of management containing  
44 all appropriated accounts in the same manner as  
45 provided in the monthly financial status reports and  
46 personal services usage reports of the department  
47 of administrative services. The monthly financial  
48 statements shall include a comparison of the dollars



49 and percentage spent of budgeted versus actual revenues  
50 and expenditures on a cumulative basis for full-time  
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1 equivalent positions and dollars.

2 4. The judicial branch shall focus efforts upon the  
3 collection of delinquent fines, penalties, court costs,  
4 fees, surcharges, or similar amounts.

5 5. The offices of the clerks of the district court  
6 shall operate in all 99 counties and be accessible to  
7 the public during regular business hours.

8 6. In addition to the requirements for transfers  
9 under section 8.39, the judicial branch shall not  
10 change the appropriations from the amounts appropriated  
11 to the judicial branch in this division of this Act,  
12 unless notice of the revisions is given prior to their  
13 effective date to the legislative services agency.  
14 The notice shall include information on the branch's  
15 rationale for making the changes and details concerning  
16 the workload and performance measures upon which the  
17 changes are based.

18 7. The judicial branch shall submit a semiannual  
19 update to the legislative services agency specifying  
20 the amounts of fines, surcharges, and court costs  
21 collected using the Iowa court information system since  
22 the last report. The judicial branch shall continue  
23 to facilitate the sharing of vital sentencing and  
24 other information with other state departments and  
25 governmental agencies involved in the criminal justice  
26 system through the Iowa court information system.

27 8. The judicial branch shall provide a report to  
28 the general assembly by January 1, 2014, concerning  
29 the amounts received and expended from the enhanced  
30 court collections fund created in section 602.1304 and  
31 the court technology and modernization fund created in  
32 section 602.8108, subsection 7, during the fiscal year  
33 beginning July 1, 2012, and ending June 30, 2013, and  
34 the plans for expenditures from each fund during the  
35 fiscal year beginning July 1, 2013, and ending June 30,  
36 2014. A copy of the report shall be provided to the  
37 legislative services agency.

38 Sec. 2. CIVIL TRIALS ---- LOCATION. Notwithstanding  
39 any provision to the contrary, for the fiscal year  
40 beginning July 1, 2013, and ending June 30, 2014, if  
41 all parties in a case agree, a civil trial including a  
42 jury trial may take place in a county contiguous to the  
43 county with proper jurisdiction, even if the contiguous  
44 county is located in an adjacent judicial district or  
45 judicial election district. If the trial is moved  
46 pursuant to this section, court personnel shall treat  
47 the case as if a change of venue occurred. However,  
48 if a trial is moved to an adjacent judicial district  
49 or judicial election district, the judicial officers  
50 serving in the judicial district or judicial election



1 district receiving the case shall preside over the  
2 case.

3 Sec. 3. TRAVEL REIMBURSEMENT. Notwithstanding  
4 section 602.1509, for the fiscal year beginning July 1,  
5 2013, a judicial officer may waive travel reimbursement  
6 for any travel outside the judicial officer's county of  
7 residence to conduct official judicial business.

8 Sec. 4. POSTING OF REPORTS IN ELECTRONIC FORMAT ----  
9 LEGISLATIVE SERVICES AGENCY. All reports or copies of  
10 reports required to be provided by the judicial branch  
11 for fiscal year 2013-2014 to the legislative services  
12 agency shall be provided in an electronic format. The  
13 legislative services agency shall post the reports on  
14 its internet website and shall notify by electronic  
15 means all the members of the joint appropriations  
16 subcommittee on the justice system when a report  
17 is posted. Upon request, copies of the reports may  
18 be mailed to members of the joint appropriations  
19 subcommittee on the justice system.

20 Sec. 5. JUDICIAL OFFICER ---- UNPAID  
21 LEAVE. Notwithstanding the annual salary rates  
22 for judicial officers established by 2008 Iowa Acts,  
23 chapter 1191, section 11, for the fiscal year beginning  
24 July 1, 2013, and ending June 30, 2014, the supreme  
25 court may by order place all judicial officers on  
26 unpaid leave status on any day employees of the  
27 judicial branch are placed on temporary layoff status.  
28 The biweekly pay of the judicial officers shall be  
29 reduced accordingly for the pay period in which the  
30 unpaid leave date occurred in the same manner as for  
31 noncontract employees of the judicial branch. Through  
32 the course of the fiscal year, the judicial branch may  
33 use an amount equal to the aggregate amount of salary  
34 reductions due to the judicial officer unpaid leave  
35 days for any purpose other than for judicial salaries.

36 Sec. 6. IOWA COMMUNICATIONS NETWORK. It is the  
37 intent of the general assembly that the judicial branch  
38 utilize the Iowa communications network or other secure  
39 electronic communications in lieu of traveling for the  
40 fiscal year beginning July 1, 2013.

41 DIVISION II

42 FY 2014-2015

43 Sec. 7. JUDICIAL BRANCH.

44 1. There is appropriated from the general fund of  
45 the state to the judicial branch for the fiscal year  
46 beginning July 1, 2014, and ending June 30, 2015, the  
47 following amount, or so much thereof as is necessary,  
48 to be used for the purposes designated:

49 a. For salaries of supreme court justices,  
50 appellate court judges, district court judges,



1 district associate judges, associate juvenile judges,  
2 associate probate judges, judicial magistrates and  
3 staff, state court administrator, clerk of the supreme  
4 court, district court administrators, clerks of the  
5 district court, juvenile court officers, board of law  
6 examiners and board of examiners of shorthand reporters  
7 and judicial qualifications commission; receipt and  
8 disbursement of child support payments; reimbursement  
9 of the auditor of state for expenses incurred in  
10 completing audits of the offices of the clerks of the  
11 district court during the fiscal year beginning July  
12 1, 2014; and maintenance, equipment, and miscellaneous  
13 purposes:

14 ..... \$139,909,462

15     b. For deposit in the revolving fund created  
16 pursuant to section 602.1302, subsection 3, for jury  
17 and witness fees, mileage, costs related to summoning  
18 jurors, fees for interpreters, and reimbursement of  
19 attorney fees paid by the state public defender:

20 ..... \$ 2,635,000

21     2. The judicial branch, except for purposes of  
22 internal processing, shall use the current state budget  
23 system, the state payroll system, and the Iowa finance  
24 and accounting system in administration of programs  
25 and payments for services, and shall not duplicate the  
26 state payroll, accounting, and budgeting systems.

27     3. The judicial branch shall submit monthly  
28 financial statements to the legislative services  
29 agency and the department of management containing  
30 all appropriated accounts in the same manner as  
31 provided in the monthly financial status reports and  
32 personal services usage reports of the department  
33 of administrative services. The monthly financial  
34 statements shall include a comparison of the dollars  
35 and percentage spent of budgeted versus actual revenues  
36 and expenditures on a cumulative basis for full-time  
37 equivalent positions and dollars.

38     4. The judicial branch shall focus efforts upon the  
39 collection of delinquent fines, penalties, court costs,  
40 fees, surcharges, or similar amounts.

41     5. The offices of the clerks of the district court  
42 shall operate in all 99 counties and be accessible to  
43 the public during regular business hours.

44     6. In addition to the requirements for transfers  
45 under section 8.39, the judicial branch shall not  
46 change the appropriations from the amounts appropriated  
47 to the judicial branch in this division of this Act,  
48 unless notice of the revisions is given prior to their  
49 effective date to the legislative services agency.  
50 The notice shall include information on the branch's



1 rationale for making the changes and details concerning  
2 the workload and performance measures upon which the  
3 changes are based.

4 7. The judicial branch shall submit a semiannual  
5 update to the legislative services agency specifying  
6 the amounts of fines, surcharges, and court costs  
7 collected using the Iowa court information system since  
8 the last report. The judicial branch shall continue  
9 to facilitate the sharing of vital sentencing and  
10 other information with other state departments and  
11 governmental agencies involved in the criminal justice  
12 system through the Iowa court information system.

13 8. The judicial branch shall provide a report to  
14 the general assembly by January 1, 2015, concerning  
15 the amounts received and expended from the enhanced  
16 court collections fund created in section 602.1304 and  
17 the court technology and modernization fund created in  
18 section 602.8108, subsection 7, during the fiscal year  
19 beginning July 1, 2013, and ending June 30, 2014, and  
20 the plans for expenditures from each fund during the  
21 fiscal year beginning July 1, 2014, and ending June 30,  
22 2015. A copy of the report shall be provided to the  
23 legislative services agency.

24 Sec. 8. CIVIL TRIALS ---- LOCATION. Notwithstanding  
25 any provision to the contrary, for the fiscal year  
26 beginning July 1, 2014, and ending June 30, 2015, if  
27 all parties in a case agree, a civil trial including a  
28 jury trial may take place in a county contiguous to the  
29 county with proper jurisdiction, even if the contiguous  
30 county is located in an adjacent judicial district or  
31 judicial election district. If the trial is moved  
32 pursuant to this section, court personnel shall treat  
33 the case as if a change of venue occurred. However,  
34 if a trial is moved to an adjacent judicial district  
35 or judicial election district, the judicial officers  
36 serving in the judicial district or judicial election  
37 district receiving the case shall preside over the  
38 case.

39 Sec. 9. TRAVEL REIMBURSEMENT. Notwithstanding  
40 section 602.1509, for the fiscal year beginning July 1,  
41 2014, a judicial officer may waive travel reimbursement  
42 for any travel outside the judicial officer's county of  
43 residence to conduct official judicial business.

44 Sec. 10. POSTING OF REPORTS IN ELECTRONIC FORMAT ----  
45 LEGISLATIVE SERVICES AGENCY. All reports or copies of  
46 reports required to be provided by the judicial branch  
47 for fiscal year 2014-2015 to the legislative services  
48 agency shall be provided in an electronic format. The  
49 legislative services agency shall post the reports on  
50 its internet website and shall notify by electronic





1 means all the members of the joint appropriations  
2 subcommittee on the justice system when a report  
3 is posted. Upon request, copies of the reports may  
4 be mailed to members of the joint appropriations  
5 subcommittee on the justice system.

6     Sec. 11. JUDICIAL OFFICER ---- UNPAID  
7 LEAVE. Notwithstanding the annual salary rates  
8 for judicial officers established by 2008 Iowa Acts,  
9 chapter 1191, section 11, for the fiscal year beginning  
10 July 1, 2014, and ending June 30, 2015, the supreme  
11 court may by order place all judicial officers on  
12 unpaid leave status on any day employees of the  
13 judicial branch are placed on temporary layoff status.  
14 The biweekly pay of the judicial officers shall be  
15 reduced accordingly for the pay period in which the  
16 unpaid leave date occurred in the same manner as for  
17 noncontract employees of the judicial branch. Through  
18 the course of the fiscal year, the judicial branch may  
19 use an amount equal to the aggregate amount of salary  
20 reductions due to the judicial officer unpaid leave  
21 days for any purpose other than for judicial salaries.

22     Sec. 12. IOWA COMMUNICATIONS NETWORK. It is the  
23 intent of the general assembly that the judicial branch  
24 utilize the Iowa communications network or other secure  
25 electronic communications in lieu of traveling for the  
26 fiscal year beginning July 1, 2014.>

COMMITTEE ON APPROPRIATIONS

SODERBERG of Plymouth, Chairperson